

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON ENERGY AND TELECOMMUNICATIONS**

**Call to Order:** Chair Duane Ankney, on February 9, 2017 at 3:00 PM, in Room 317  
Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Duane Ankney, Chair (R)  
Sen. Pat Connell, Vice Chair (R)  
Sen. Dick Barrett (D)  
Sen. Mark Blasdel (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Sue Malek (D)  
Sen. Mary McNally (D)  
Sen. Keith Regier (R)  
Sen. Tom Richmond (R)  
Sen. Jason D. Small (R)  
Sen. Russel (Russ) Tempel (R)  
Sen. Cynthia Wolken (D)

**Members Excused:** Sen. Gene Vuckovich (D)

**Members Absent:** None

**Staff Present:** Charlene Devine, Committee Secretary  
Sonja Nowakowski, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 164, 2/1/2017; SB 168, 2/1/2017  
Executive Action: SB 78, Do Pass As Amended; SB 102, Do Pass As Amended;  
SB 132, Do Pass; SJ 6, Do Pass As Amended; SB 146, Be Tabled

00:00:06 Chair Ankney

**HEARING ON SB 164**

**Opening Statement by Sponsor:**

00:01:26 Sen. Keith Regier (R), SD 3, opened the hearing on SB 164, Revise northwest power and conservation council member appointment laws.

**Proponents' Testimony:**

00:05:10 Joe Lukas, Western Montana Electric Generation and Transmission Cooperative

00:07:58 Gary Wiens, Montana Electric Cooperative Association (MECA)

**Opponents' Testimony:**

00:08:47 Brian Fadie, Montana Environmental Information Center

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:10:27 Sen. Wolken

00:10:53 Sen. Barrett

00:11:42 Sen. Regier

00:12:18 Sen. McNally

00:13:59 Sen. Regier

00:14:22 Sen. Connell

00:15:00 Sonja Nowakowski, Legislative Services Division

00:15:25 Sen. Richmond

00:16:00 Mr. Wiens, MECA

00:16:32 Sen. Barrett

00:17:31 Sen. Regier

00:17:43 Sen. Malek

00:19:30 Sen. Regier

**Closing by Sponsor:**

00:19:44 Sen. Regier

**HEARING ON SB 168**

**Opening Statement by Sponsor:**

00:21:12 Sen. Sue Malek (D), SD 46, opened the hearing on SB 168, Revising energy procurement plan review.

**Proponents' Testimony:**

00:23:59 Mike Uda, self

**Opponents' Testimony:**

00:26:37 John Alke, NorthWestern Energy

**Informational Testimony:**

00:32:55 Will Rosquist, Public Service Commission (PSC)

**Questions from Committee Members and Responses:**

00:35:01 Sen. Regier  
00:35:25 Sen. Malek  
00:35:39 Sen. Barrett  
00:36:11 Mr. Rosquist, PSC  
00:36:23 Sen. Connell  
00:37:41 Mr. Rosquist

**Closing by Sponsor:**

00:38:13 Sen. Malek  
00:39:24 Sen. Kary entered the hearing.  
00:42:16 Chair Ankney

**EXECUTIVE ACTION ON SB 78**

00:43:48 Chair Ankney  
00:43:57 **Motion:** Sen. Connell moved that **SB 78 DO PASS.**

**Discussion:**

00:44:13 Sen. Regier  
**EXHIBIT**(ens29a01)  
00:45:17 **Motion/Vote:** Sen. K. Regier moved that **SB 78 BE AMENDED.** Motion carried unanimously by roll call vote. Sen. Vuckovich voted by proxy.  
00:46:26 **Motion:** Sen. K. Regier moved that **SB 78 DO PASS AS AMENDED.**

**Discussion:**

00:46:39 Sen. Barrett  
00:50:46 Sen. McNally  
00:51:48 Sen. Richmond  
00:52:35 Sen. Malek

00:54:41 Sen. Connell

00:57:16 **Vote:** Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Vuckovich and Sen. Wolken voting no. Sen. Vuckovich voted by proxy.

**EXECUTIVE ACTION ON SB 102**

00:58:20 **Motion:** Sen. Richmond moved that **SB 102 DO PASS.**

00:58:54 **Motion:** Sen. Richmond moved that **SB 102 BE AMENDED.**  
**EXHIBIT(ens29a02)**

**Discussion:**

01:00:04 Sen. Tempel  
01:00:42 Sen. McNally  
01:00:56 Sen. Richmond  
01:01:32 Steve Turkiewicz, Montana Bankers Association  
01:02:04 Sen. McNally  
01:02:39 Sen. Richmond  
01:02:52 Sen. McNally  
01:03:28 Chair Ankney  
01:03:31 Sen. McNally  
01:03:55 Mike Uda, self  
01:05:36 Chair Ankney  
01:05:51 Sen. Richmond  
01:06:24 Sen. Barrett  
01:09:21 Sen. Richmond  
01:09:44 Sen. Barrett  
01:09:50 Sen. Regier  
01:10:02 Sen. Richmond  
01:10:24 Sen. Regier  
01:11:18 John Alke, NorthWestern Energy  
01:11:36 Sen. Malek  
01:14:05 Sen. Connell  
01:16:21 Sen. Malek

01:16:43 **Vote:** Motion carried 7-6 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Tempel, Sen. Vuckovich and Sen. Wolken voting no. Sen. Vuckovich voted by proxy.

01:18:23 **Motion:** Sen. McNally moved that **SB 102 BE AMENDED.**  
**EXHIBIT(ens29a03)**

**Discussion:**

01:18:40 Sen. McNally  
01:19:47 Chair Ankney  
01:20:06 Sen. McNally

01:20:45 Sen. Connell  
 01:21:31 Sonja Nowakowski, Legislative Services Division  
 01:21:37 Sen. Connell  
 01:21:53 Sen. Barrett  
 01:22:39 Sen. Kary  
 01:23:10 Sen. McNally  
 01:23:41 Sen. Kary  
 01:24:25 Sen. Richmond  
 01:25:55 Chair Ankney  
 01:25:59 Sen. McNally  
 01:26:49 Sen. Richmond

01:26:56 **Vote:** Motion failed 5-8 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Vuckovich and Sen. Wolken voting aye. Sen. Vuckovich voted by proxy.

01:27:50 **Motion:** Sen. Richmond moved that **SB 102 DO PASS AS AMENDED.**

**Discussion:**

01:28:12 Sen. Tempel

01:29:40 **Vote:** Motion carried 7-6 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Tempel, Sen. Vuckovich and Sen. Wolken voting no. Sen. Vuckovich voted by proxy.

**EXECUTIVE ACTION ON SB 132**

01:30:02 **Motion/Vote:** Sen. Richmond moved that **SB 132 DO PASS.** Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Vuckovich and Sen. Wolken voting no. Sen. Vuckovich voted by proxy.

**EXECUTIVE ACTION ON SJ 6**

01:31:11 **Motion:** Sen. Ankney moved that **SJ 6 DO PASS.**

**Discussion:**

01:31:30 Sen. Regier  
[\*\*EXHIBIT\(ens29a04\)\*\*](#)

01:31:33 **Motion/Vote:** Sen. K. Regier moved that **SJ 6 BE AMENDED.** Motion carried 10-3 by roll call vote with Sen. Barrett, Sen. Malek and Sen. McNally voting no. Sen. Vuckovich voted by proxy.

01:33:16 **Motion:** Sen. Connell moved that **SJ 6 DO PASS AS AMENDED.**

**Discussion:**

01:33:32 Sen. Wolken

01:34:04 Chair Ankney

01:35:19 Sen. Barrett

01:37:57 **Vote:** Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Vuckovich and Sen. Wolken voting no. Sen. Vuckovich voted by proxy.

**EXECUTIVE ACTION ON SB 146**

01:38:55 **Motion/Vote:** Sen. Barrett moved that **SB 146 BE TABLED**. Motion carried 12-1 by roll call vote with Sen. Kary voting no. Sen. Vuckovich voted by proxy.

**EXHIBIT**(ens29a05)

01:40:28 Chair Ankney

**ADJOURNMENT**

Adjournment: 4:55 PM

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Charlene Devine, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT**([ens29aad.pdf](#))